

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:  
Randal Ervin Marshik,  
Donna Lee Marshik,

Debtors.

Chapter 7

BKY No. 14-33340 (KAC)

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**NOTICE OF SETTLEMENT**

To: The United States Trustee, all creditors and other parties in interest.

On **March 28, 2016**, or as soon thereafter as the transaction may be completed, the undersigned Trustee of the estate of the Debtors named above will settle a controversy as follows:

This bankruptcy case was filed on August 13, 2014, and J. Richard Stermer is the appointed Trustee in this Chapter 7 case. The Debtors' scheduled homestead real property located at 42 1<sup>st</sup> Street N, Flensburg, MN 56328, in the County of Morrison, State of Minnesota, with a value of \$66,100.00, legally described as: *Lots Thirteen and Fourteen (13 & 14), Block Three (3), Flensburg*. The property was subject to a secured debt of \$15,000.00, and the Debtors claimed this property fully exempt under Minnesota State exemptions. The Trustee, in an adversary proceeding, avoided the 2011 Mortgage against the real estate as a preferential transfer and the 2011 Mortgage lien was preserved for the benefit of the bankruptcy estate.

The Debtors and the Trustee have entered into a settlement agreement, subject to Bankruptcy Court approval, whereby the Debtors will pay the Trustee \$16,500.00 to retain their interest in the above-described real estate. The Debtors will make monthly payments of \$400.00 beginning on March 25, 2016, and each month thereafter for 11 months, at which time the remaining amount due shall be paid in full. Once debtors have paid the full \$16,500.00, then the lien will be satisfied. Based on the time and expense involved in liquidating this property, the Trustee believes that this settlement is in the best interests of the estate.

**OBJECTION: MOTION:: HEARING.** Under applicable rules, any objection must be in writing, be delivered to the trustee and the United States Trustee and be filed with the clerk, not later than 12:00 o'clock noon on the day before the above date. If any objection is made or an order is required, the trustee moves the court for such orders as may be necessary and appropriate. If an objection is timely delivered and filed, the court will hold an expedited hearing on the objection with reduced notice of the hearing. The hearing will be scheduled by the trustee with notice by the trustee to the objecting party and the U. S. Trustee.

Clerk of Court  
United States Bankruptcy Court  
316 N. Robert St.  
St. Paul, MN 55101

United States Trustee  
1015 U S Courthouse  
300 So. 4<sup>th</sup> St.  
Minneapolis, MN 55415

Trustee  
(See address below)

Dated: March 1, 2016

/e/ J. Richard Stermer  
J. Richard Stermer, Trustee  
102 Parkway Drive, P. O. Box 514  
Montevideo, MN 56265  
Telephone: (320) 269-6491  
Email: [rstermer@stermerlaw.com](mailto:rstermer@stermerlaw.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE: Marshik Randal Ervin  
Marshik Donna Lee

CASE NO: 14-33340

**DECLARATION OF MAILING  
CERTIFICATE OF SERVICE**

Chapter:  
ECF Docket Reference No.  
Judge:  
Hearing Location:  
Hearing Date:  
Hearing Time:  
Response Date:

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On 3/1/2016, I did cause a copy of the following documents, described below,  
Notice of Settlement,

to be served for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

I caused these documents to be served by utilizing the services of BK Attorney Services, LLC d/b/a certificateofservice.com, an Approved Bankruptcy Notice Provider authorized by the United States Courts Administrative Office, pursuant to Fed.R.Bankr.P. 9001(9) and 2002(g)(4). A copy of the declaration of service is attached hereto and incorporated as if fully set forth herein.

DATED: 3/1/2016

/s/ J. RICHARD STERMER  
J. RICHARD STERMER 216811  
STERMER & SELLNER CHTD.  
102 PARKWAY DRIVE PO BOX 514  
MONTEVIDEO, MN 56265  
320 269 6491  
jackie.eggars@stermerlaw.com

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE: Marshik Randal Ervin  
Marshik Donna Lee

CASE NO: 14-33340

**CERTIFICATE OF SERVICE  
DECLARATION OF MAILING**

Chapter:  
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On 3/1/2016, a copy of the following documents, described below,  
Notice of Settlement,

were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document(s) on the mailing list attached hereto in the manner shown and prepared the Declaration of Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 3/1/2016

/s/ Jay S. Jump

Jay S. Jump  
BK Attorney Services, LLC  
d/b/a certificateofservice.com, for  
STERMER & SELLNER CHTD.  
J. RICHARD STERMER  
102 PARKWAY DRIVE PO BOX 514  
MONTEVIDEO, MN 56265

CASE INFO

LABEL MATRIX FOR LOCAL NOTICING  
0864-3  
CASE 14-33340  
DISTRICT OF MINNESOTA  
ST PAUL  
TUE MAR 1 09-02-38 CST 2016

NATIONAL CREDIT UNION ADMINISTRATION  
BOARD  
4807 SPICEWOOD SPRINGS RD.  
STE. 5100  
AUSTIN TX 78759-8438

EXCLUDE

~~ST PAUL~~  
~~200 WARREN E BURGER FEDERAL BUILDING~~  
~~AND~~  
~~US COURTHOUSE~~  
~~316 N ROBERT ST~~  
~~ST PAUL MN 55101 1465~~

AMERICAN INFOSOURCE LP AS AGENT FOR  
MIDLAND FUNDING LLC  
PO BOX 268941  
OKLAHOMA CITY OK 73126-8941

AMERICAN INFOSOURCE LP AS AGENT FOR  
T MOBILET-MOBILE USA INC  
PO BOX 248848  
OKLAHOMA CITY OK 73124-8848

BUSINESS REVENUE SYSTE  
2419 SPY RUN AVE STE A  
FORT WAYNE IN 46805-3262

CAP ONE  
POB 30281  
SALT LAKE CITY UT 84130-0281

CENTRACARE CLINIC  
1200 6TH AVE N  
SAINT CLOUD MN 56303-2736

CAPITAL ONE BANK (USA) N.A.  
PO BOX 71083  
CHARLOTTE NC 28272-1083

DISH NETWORK  
4500 SALISBURY RD STE 10  
JACKSONVILLE FL 32216-0959

METABANK  
8875 AERO DR STE 200  
SAN DIEGO CA 92123-2255

MIDLAND FUNDING  
8875 AERO DR STE 200  
SAN DIEGO CA 92123-2255

MORRISON COUNTY AUDITORTREASURER  
213 1ST AVE SE  
LITTLE FALLS MN 56345-1468

NATIONAL CREDIT UNION ADMIN BOARD  
4807 SPICEWOOD SPGS STE 5100  
AUSTIN TX 78759-8438

REGIONAL DIAGNOSTIC RADIOLOGY  
2419 SPY RUN AVE STE A  
FORT WAYNE IN 46805-3262

ST GABRIEL S HOSPITAL  
815 SE SECOND ST  
LITTLE FALLS MN 56345-3596

ST. CLOUD HOSPITAL  
1406 6TH AVE N  
SAINT CLOUD MN 56303-1901

ST. GABRIEL S HOSPITAL  
3297 SOLUTIONS CENTER  
CHICAGO IL 60677-3002

EXCLUDE

STELLAR RECOVERY INC  
4500 SALISBURY RD STE 10  
JACKSONVILLE FL 32216-8035

~~US TRUSTEE~~  
~~1015 US COURTHOUSE~~  
~~300 S 4TH ST~~  
~~MINNEAPOLIS MN 55415 3070~~

DONNA LEE MARSHIK  
42 1ST ST N  
FLENSBURG MN 56328

EXCLUDE

~~J. RICHARD STERMER~~  
~~STERMER & SELNER CHTD.~~  
~~102 PARKWAY DRIVE~~  
~~PO BOX 514~~  
~~MONTEVIDEO MN 56265 0514~~

DEBTOR

RANDAL ERVIN MARSHIK  
42 1ST ST N  
FLENSBURG MN 56328

EXCLUDE

~~STEPHEN HELLER~~  
~~HELLER & THIEN P.A.~~  
~~606 25TH AVE S~~  
~~SUITE 110~~  
~~ST. CLOUD MN 56301 4810~~